

#6

DAC/#

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN
OR INTERNATIONAL FILING (37 CFR 1.137(f))**

Docket Number:

5580P001

First named inventor: James Y. Liu

Application No.: 09/832,254

Art Unit: 2154

Filed: April 9, 2001

Examiner: Unassigned

Title: METHOD AND SYSTEM FOR SCANNING ELECTRONIC MAIL TO DETECT AND ELIMINATE
COMPUTER VIRUSES USING A GROUP OF EMAIL-SCANNING SERVERS AND A RECIPIENT'S
EMAIL GATEWAY

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely
notify the Office of the filing of an application in a foreign country or under a multinational international treaty that
requires publication of applications eighteen months after filing. The date of abandonment is the day after the
expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

**PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF
THIS APPLICATION UNDER 37 CFR 1.137(b)**

1. Petition fee

☒ Small entity-fee \$650 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ Other than small entity - fee \$_____ (37 CFR 1.17(m)).

☒ The Director is hereby authorized to charge the indicated fees and credit any overpayments to
Deposit Account No. 02-2666.

☒ Fee is enclosed.

RECEIVED

JUN 2 5 2003

OFFICE OF PETITIONS

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or
under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires
publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or
international application is April 12, 2001.

06/25/2003 AWONDAF1 00000017 09832254

01 FC:2653

650.00 00

(Page 1 of 2)


SEND COMPLETED FORM TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Based on Form PTO/SB/64a (05-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 05/13/03

STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

6/20/13
Date


Signature

Telephone
Number: (408) 720-8300

James H. Salter
Typed or Printed Name

Customer No. 008791
BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025
Telephone Number: (408) 720-8300

35,668
Registration No.

Enclosures: ☒ Fee Payment

☐ Additional Sheets containing statements establishing unintentional delay

☒ Other: Submission of Petition for Revival, Return Postcard, Fee Transmittal (in duplicate)

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

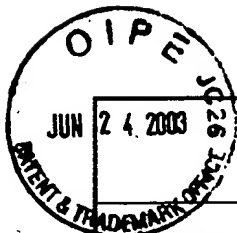
☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

6/20/13
Date


Signature

Barbara Skliba
Typed or printed name of person signing certificate



SUBMISSION OF PETITION FOR REVIVAL

Docket Number:

5580P001

First named inventor: James Y. Liu

Application No.: 09/832,254

Art Unit: 2154

Filed: April 9, 2001

Examiner: Unassigned

Title: METHOD AND SYSTEM FOR SCANNING ELECTRONIC MAIL TO DETECT AND ELIMINATE COMPUTER VIRUSES USING A GROUP OF EMAIL-SCANNING SERVERS AND A RECIPIENT'S EMAIL GATEWAY

Mail Stop Petition
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Applicant(s) believe(s) that the above-identified application is being regarded by the United States Patent and Trademark Office (USPTO) as abandoned. Accordingly, applicant(s) submit(s) herewith a Petition for Revival of An Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing in accordance with 37 CFR § 1.137(f). The Petition fee required under 37 CFR § 1.17(m) is submitted herewith. An extra copy of the Fee Transmittal is enclosed for deposit account charging purposes.

Applicant(s) respectfully submit(s) that the USPTO has misinterpreted the requirements of 35 U.S.C. § 122, causing the needless filing of the subject Petition, and respectfully requests a refund under 37 CFR § 1.26 for the fees under 37 CFR § 1.17(m) mistakenly required to be paid. The refund can be credited to Deposit Account No. 02-2666. If a refund is not forthcoming, applicant(s) reserve(s) the right to request a refund for the Petition fee based on a subsequent finding by the USPTO or a court of proper jurisdiction that the requirements of 35 U.S.C. § 122 have been misinterpreted.

6/20/03
Date

Signature

Telephone

Number: (408) 720-8300

James H. Salter

Typed or Printed Name

Customer No. 008791

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

12400 Wilshire Blvd.

Seventh Floor

Los Angeles, CA 90025

Telephone Number: (408) 720-8300

35,668

Registration No.

RECEIVED

JUN 25 2003

OFFICE OF PETITIONS

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents P. O. Box 1450, Alexandria, VA 22313-1450.
- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

6/20/03
Date

Bubba Sklibz



FEE TRANSMITTAL FOR FY 2003

TOTAL AMOUNT OF PAYMENT (\$) 650.00

Complete if Known:

Application No. 09/832,254
Filing Date April 9, 2001
First Named Inventor James Y. Liu
Group Art Unit 2154
Examiner Name Unassigned
Attorney Docket No. 5580P001

METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:
- Deposit Account Number _____
Deposit Account Name _____
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17, and charge any deficiencies to Deposit Account Number 02-2666, and credit any over payments to Deposit Account Number 02-2666
- ☐ Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance, 37 CFR 1.131(b)
2. ☒ Payment Enclosed
☒ Check

Other _____
3. ☒ Applicant claims small entity.
See CFR 1.27

FEE CALCULATION (fees effective 11/29/00)

1. FILING FEE

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	750	2001	375	Utility application filing fee	_____
1002	330	2002	165	Design application filing fee	_____
1003	520	2003	260	Plant filing fee	_____
1004	750	2004	375	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____
SUBTOTAL (1)					\$ <u>0</u>

2. CLAIMS

	<u>Extra</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims _____ - 20 = _____	X	_____	= _____
Independent Claims _____ - 3 = _____	X	_____	= _____
Multiple Dependent Claims _____	X	_____	= _____

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of twenty	_____
1201	84	2201	42	Independent claims in excess of 3	_____
1203	280	2203	140	Multiple dependent claim	_____
1204	84	2204	42	Reissue independent claims over original patent	_____
1205	18	2205	9	Reissue claims in excess of 20 and over original patent	_____

SUBTOTAL (2) \$ 0

RECEIVED

JUN 25 2003

OFFICE OF PETITIONS

FEE CALCULATION (continued)
3. ADDITIONAL FEES

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee Code</u>	<u>Fee (\$)</u>	<u>Fee Code</u>	<u>Fee (\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1813	8,800	1813	8,800	For filing a request for ex parte reexamination	
1251	110	2251	55	Extension for response within first month	
1252	410	2252	205	Extension for response within second month	
1253	930	2253	465	Extension for response within third month	
1254	1,450	2254	725	Extension for response within fourth month	
1255	1,970	2255	985	Extension for response within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	650.00
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	For filing a submission after final rejection	
1814	110	2814	55	Statutory Disclaimer	
1810	750	2810	375	For each additional invention to be examined	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
1504	300	1504	300	Publication fee for early, voluntary, or normal publication	
1505	300	1505	300	Publication fee for republication	
1803	130	1803	130	Request for voluntary publication or republication	
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454	1,300	Acceptance of unintentionally delayed claim for priority	
Other: _____					
Other: _____					

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) \$ 650.00

SUBMITTED BY:

Typed or Printed Name: James H. Salter

Signature _____

Date 6/20/03

Reg. Number 55,668

Customer No. 008791

(complete if applicable)

FIRST CLASS CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 20, 2003.

Barbara Skliba

Name of Person Mailing Correspondence

Signature Barbara Skliba

Date 6/20/03

RECEIVED

JUN 25 2003

OFFICE OF PETITIONS